

Digital Copyright

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Copyright Quiz

True or False

1. The owner of the local Blockbuster Video store supports the school by donating one videotape rental free to the school every Friday. The video is shown in the multipurpose room to reward students with perfect attendance that week. This is fair use.

Answer

1. False. "Entertainment" and "reward" are explicitly excluded under copyright guidelines. To show a movie for entertainment purposes, you must obtain a version from an authorized distributor who can license you to show it.

See Public Performance Site License

2. A teacher buys a single-user software program with department money and puts it on the local-area network (LAN). It is frequently used by several teachers at the same time. This is done in violation of a written district policy against using single-user programs on the LAN. After two years, the software company takes action against the individual teacher. The district is also liable.

Answer

2. True. The district must enforce its written policy, not just post it. Somebody needs to be monitoring the network (and, it must be said, the stand-alone computers, too). Unenforced policy cost one large district over \$1 million.

3. A history teacher taped the original ABC news report showing Richard Nixon leaving the White House after he resigned. She made it at home on her personal VCR and used her own tape. She uses the entire news program every year in her classroom. This is fair use.

Answer

3. False. Congress holds that videotapes of publicly broadcast shows can only be shown for 10 days afterwards unless the copyright holder grants greater allowances for educators. The time has long passed when she should have asked permission or purchased the tape.

4. A teacher rents *Gone With the Wind* to show the burning of Atlanta scene to her class while studying the Civil War. This is fair use.

Answer

4. True. The video is a legal copy being used for instructional purposes.

5. A student doing a multimedia report discovers how to copy the Quick Time movie of Kennedy's "*We Shall Go to the Moon*" speech from a CD-ROM encyclopedia. He presents the report to his classmates, then posts it on the school LAN. This is fair use.

Answer

5. True. The length of the clip and its use for educational purposes support the fact that this is fair use. Since the school LAN is presumably not accessible to the outside world, posting the report should not cause a problem.

6. Copyrighted material used in multimedia projects may remain in the student's portfolio forever.

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Answer

6. True. As long as the material is not publicly distributed, the student may archive his/her work.

7. A student finds a photo online dramatizing a pre-Columbian Viking landing in America. Since the school symbol is the Viking, he uses this photo as a graphic element on the school's web page--giving credit to the site from which it was copied. This is fair use.

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Answer

7. False. Internet pages are copyrighted automatically. The student cannot safely post (and therefore re-copyright) anything for the general public without permission--even if credit is given. Use in a classroom report would have been okay.

8. A science teacher asks the school librarian to record a great episode of *Bill Nye the Science Guy* on its original broadcast in September 1998. He figures on using it for years. This is permissible.

Answer

8. True. The distributors of "Bill Nye," unlike those of many other educational shows, allow educational retention after original broadcast, in this case, for three years.

9. A student building a multimedia art project uses copyrighted images of Frank Lloyd Wright buildings downloaded from the Web. He submits this project to a multimedia competition honoring classroom work and wins a prize for the school. This is covered under fair use.

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Answer

9. True. The competition was expressly designed for classroom work by students. If the resulting projects were distributed on CD-ROM or posted at a web site, however, the copyrighted works could cause a problem.

10. The teacher of the winning multimedia project mentioned above shows it at an art conference for education. It costs \$50 to attend the conference and the teacher is awarded free attendance because he is a presenter. This is fair use.

Answer

10. True. Fair use is generally extended to include educator trainings and conferences.

11. Using a legal copy of the program Web Whacker, a district technology specialist downloads and caches educational and non educational Web pages for school Internet training. By copying these pages onto the school's server she is violating copyright law.

Answer

11. False. Although netiquette would dictate asking permission, since it's serving an instructional purpose, the trainer should be all right. Because it is impossible to view a web page without first downloading it into computer memory, merely caching the page for future use should not be interpreted as illegal copying.

12. A school purchases one copy of a typing tutorial program, which is housed in the library. It is checked out to individual students to take home for two-week periods. This is permissible as long as the homes erase the program at the end of the two weeks.



Answer

12. True. The checkout is fine. The school must make serious efforts, however, to make sure parents erase the program from their computers.

13. *Seinfeld* has an episode on personal hygiene that a health teacher tapes and uses the following week in class. The local television station denies permission when asked and states this is a violation of copyright law. They are correct.

Answer

13. False. The television station is wrong. First of all, it doesn't hold the copyright on "Seinfeld." Secondly, the use occurred within 10 school days after the broadcast.

14. A student brings in an audio cassette copy of the national anthem that he copied from an audio CD lent to him by a friend. Another student digitizes this into a HyperStudio stack. This is fair use.



Answer

14. False. For fair use, the copy must be legally obtained. The student was using an unauthorized copy. Francis Scott Key may be dead, but the orchestra that created the arrangement and created the tape is probably alive and kicking.

15. A high school video class produces a student video yearbook that they sell at a community events to raise money for equipment for the school. They use well-known popular music clips. The money all goes to the school and the songs are fully listed in the credits. This is covered under fair use.

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Answer

15. False. This is not instructional use. The fact that money is being charged is irrelevant; the problem lies in the use of copyrighted materials for non-instructional purposes.

16. A school can only afford one copy of Kid Pix. It is loaded onto the library computer and all students and all classes have access to it all day. The teachers copy and install Kid Pix Player on their classroom computers to evaluate the student work. This is permissible.

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Answer

16. True. "Players" such as this are intended for distribution and the program itself is never in simultaneous use.

17. A teacher creates his own grading program for use with his students. He transfers to another school and forgets to delete the program from the network. Everyone at his old school copies and use the program. He sues the school and wins. He is likely to receive a significant monetary reward.

Answer

17. True. The teacher does have the right to make them stop using his work.

18. An elementary school transcribes the lyrics from the album "*Cats*" and puts it on as the school mini musical. A teacher plays the music by ear on the piano and the students perform every song. There is no admission charged. This is legal.



Answer

18. False. The copyright holder sells the performance rights to schools in a very specific way. If you want "Cats," buy the performance rights. Sell tickets if you have to.

19. A media aide tapes *60 Minutes* every week in case teachers need it. This is fair use.

Answer

19. False. Schools may not tape in anticipation of requests. They can act only on actual requests.

20. A professor at a prominent University of California campus copies an expensive software program for every student in his class. This state university is taken to court by the copyright holder. The university loses.

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Answer

20. False (at least for now). The copyright holder lost in just such a case. The U.C. schools are state schools and the court ruled the state could not be sued unless it consented. The ethical issue was unaddressed by the court.

Fair Use Video Resources

Video

YouTube Video

KUSD Webpage Resource

Copyright Resource

Copyright Video

Quiz Resources

<http://www.esu7.org/~sgsweb/copyquiz.html>

<http://www.esu7.org/~sgsweb/copyanswers.html>

<http://www.csus.edu/indiv/p/peachj/edte230/copyright/quiz.htm>

<http://www.halldavidson.net/TLQuiz.pdf>

<http://www.halldavidson.net/TLQuizAnswers.pdf>

<http://www.halldavidson.net/quiz1.pdf>

<http://www.halldavidson.net/answ1.pdf>

<http://www.gavilan.edu/library/copyrightquiz.html>

Guidelines for Teachers

<http://www.halldavidson.net/copyrightTEACH.pdf>

<http://www.halldavidson.net/chartshort.html>

Creative Commons

<http://creativecommons.org/>

<http://wiki.creativecommons.org/OER>

<http://www.youtube.com/watch?v=io3BrAQL3so>